

Form:

Checklist for Choosing a Domain Name

Description:

This is a checklist of issues when considering choosing a domain name for a business.

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When you are starting a business and you desire to have a Web presence, the first essential step is to acquire a domain name (such as www.Negligent.com). The difficulty is that almost all good domain names are already taken or trademark issues might impact on use of the name. The following is a checklist of key issues to consider when choosing a domain name.

1. Is the domain name available from the domain registrars? The easiest way to check is to go to www.networksolutions.com or some other name registrar, check on the "Whois" section, and see if someone already owns the name.
2. If the domain name is available, the cost is usually minimal (for example, \$9-\$35 for .com and .net names).
3. If the domain name is already owned by someone, check out the Web site for that name to see if the holder is actually using the name. If they are not using it, it will be more likely that you can buy the name from the holder.
4. If the name is a common word (such as tennis.com or recuperate.com), expect to have to pay a lot, if the holder is even willing to sell (business.com sold for \$7.5 million and loans.com sold for \$3 million).
5. Don't pick a domain name that can easily be misspelled.
6. Before getting wedded to any particular domain name, do a trademark search on the name. If someone already holds a trademark on the name or something confusingly similar to that name, they could prevent you from using the name in the future. A free preliminary search can be done at the U.S. Patent and Trademark Office Web site at www.uspto.gov. Distinctive names receive greater trademark protection (such as Xerox or Advil) and common or ordinary names will often not be able to get trademark protection.
7. .Com domain names are much more desirable than any other types of domain names (such as .net, .org, .tv, etc.). People naturally think of .com names as the ones they should go to, and .com and .net have more credibility among users over the more esoteric domains such as .ws or .nu.
8. If possible, buy the .com name and buy the .net and .org and other appropriate extensions.
9. Think what names may make sense internationally. For example, if you are planning to expand into China, think about buying the .cn name. For example, eBay owns eBay.com and eBay.cn.
10. Typically, the shorter the domain name, the better, as it will be more memorable and less likely to be misspelled.

11. Consider whether you want a catchy name (such as Yahoo.com or Google.com) or a name that will instantly let the reader know what kind of site it is (such as Ringtones.com or Bedroomfurniture.com). Sites with catchy names will often require more branding and advertising to let the reader know what the site is about.
12. Consider narrowing your choices on names down to 3 or 4, then ask a number of your potential site visitors what name is best. You can often get valuable feedback from focus groups or informal focus groups.
13. If you are purchasing a domain name from an existing holder, you need to have a good form of Domain Name Purchase Agreement. You want the seller to represent to you that he owns the name, that it hasn't been encumbered, that there is no litigation pending with respect to the name, that he knows of no trademark violation, and so forth. A good form of pro-buyer Domain Name Purchase Agreement can be found at www.AllBusiness.com.
14. Make sure that you consider how the business will grow, and that your name will not stifle the growth. For example, you may want to avoid www.toiletsupplies.com if you hope your business will grow into a general supply company. Don't choose a name that might not be representative of the full scope of services or products that you may offer in the future.
15. Is the name memorable?
16. Is the name problematic if translated into another language?
17. To avoid limiting the scope of your business, avoid geographic identifiers, such as PhiladelphiaComicBooks.com.
18. If you are forming a corporation, LLC or limited partnership at the same time that you are buying the domain name, make sure to check with the Secretary of State's office of the jurisdiction where you are forming the entity to see if the name you want is available.
19. Do a Google or Bing search on the proposed name, just to see how others might already be using it.
20. Generally, try to avoid hyphenated names like e-arbitration.com. But if you buy eArbitration.com, try to buy the hyphenated version as well. For example, Shopzilla owns Shopzilla.com and Shop-zilla.com.
21. Think about how the domain name will work for keyword searches on the search engines. Good names can result in free organic search traffic, such as CityofParis.com.